



U.S. Department
of Transportation
**Research and
Special Programs
Administration**

400 Seventh St., S.W.
Washington, D.C. 20590

JUN 26 2001

Ms. Alice M. Morse
ENPRO Services Inc.
12 Mulliken Way
Newburyport, MA 01950

Ref. No. 01-0130

Dear Ms. Morse:

This is in response to your May 11, 2001 letter regarding the classification and proper shipping name for a waste material containing petroleum oil and water and contaminated with debris (soil, PPE, absorbents, speedy dry, etc.) under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180).

You state that during a routine stop by the Massachusetts State Police, your company was issued a written warning for an improper shipping name on a uniform hazardous waste manifest. The shipping name on the manifest was "State Regulated Oil Waste." Specifically, you asked if the shipping name "State Regulated Oil Waste" is an acceptable proper shipping name to describe this material.

Under the HMR, a waste that is subject to the Uniform Hazardous Waste Manifest (UHW) Requirements of the U. S. Environmental Protection Agency specified in 40 CFR part 262 is regulated for purposes of transportation as a "hazardous waste." A waste that does not require completion of a UHW is not considered a "hazardous waste" for purposes of transportation and is not subject to the requirements of the HMR unless it meets the definition of a hazardous material under the HMR. Thus, a State regulated waste that does not require completion of a UHW and is not a hazardous material as defined in the HMR is not subject to the regulations under the HMR. Such a material may be described using the shipping name, "State Regulated Oil Waste." However its description on the shipping paper or manifest may not include a hazard class or identification number specified in the § 172.101 Hazardous Materials Table (See § 172.202(e)).

I hope this satisfies your inquiry. If we can be of further assistance, please contact us.

Sincerely,

John A. Gale
Transportation Regulations Specialist
Office of Hazardous Materials Standards



010130

172.101



Engrum
§ 172.101
Proper Shipping Name
01-0130

May 11, 2001

Mr. Ed Mazzullo, Director
Office of Hazardous Materials
400 7th Street, SW
Washington, D.C. 20590-0001

Reference: Clarification on the Regulations

Dear Mr. Mazzullo,

I am writing to you in an attempt to get clarification on the correct way to complete the proper shipping name on a hazardous waste manifest for petroleum oil contaminated with water and petroleum oil products contaminated debris (soil, PPE, absorbents, speedy dry, etc).

ENPRO Services, Inc. is a licensed hazardous materials transportation company. During a routine stop by the Massachusetts State Police we were issued a written warning for an improper shipping name on a uniform hazardous waste manifest. The shipping name on the manifest was listed as State Regulated Oil Waste.

When I called the Department of Transportation hotline at (800) 467-4922, I was informed that State Regulated Oil Waste was indeed a proper shipping name of these materials. The hotline operator informed me at this time there is no written section in the regulations stating this for a fact.

Could you please provide a written statement, confirming the above information that was provided to me verbally by the hotline operator. Please do not hesitate to call me should your require additional information.

Sincerely,

ENPRO Service, Inc.

Alice M. Morse
Hazardous Waste Coordinator

ENPRO Services, Inc.

12 Mulliken Way, Newburyport, MA 01950
(800) 966-1102 - 24 Hours FAX (978) 465-2050

44 Rigby Road, South Portland, ME 04106
(888) 367-6660 - 24 Hours FAX (207) 773-6693